

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ISRAEL DIAZ : CIVIL ACTION
v. :
KENNETH ARNOLD, et al. : NO. 12-6754

O R D E R

AND NOW, this *28* day of January, 2013, having considered plaintiff's complaint and motion to proceed in forma pauperis, and in accordance with the accompanying Memorandum, IT IS HEREBY ORDERED that:

1. Plaintiff's motion to proceed in forma pauperis is GRANTED.

2. Plaintiff, Israel Diaz, #KS-1946, shall pay the full filing fee of \$350 pursuant to 28 U.S.C. § 1915(b). Based on plaintiff's financial statement, an initial partial filing fee of \$5.25 is assessed. The Superintendent or other appropriate official at SCI Greene or at any other correctional facility at which plaintiff may be confined, is directed to deduct \$5.25 from plaintiff's prisoner account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 2609 U.S. Courthouse, Philadelphia, PA 19106, to be credited to Civil Action No. 12-6754. After the initial partial filing fee is collected and until the full filing fee is paid, the Superintendent or other appropriate official at SCI Greene or at any prison at which plaintiff may be confined, shall deduct from plaintiff's account, each time that plaintiff's prisoner account exceeds \$10, an amount no greater than 20 percent of the

money credited to his account during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 12-6754.

3. This action is **DISMISSED** as legally frivolous pursuant to 28 U.S.C. § 1915 (e)(2)(B)(i).

4. Plaintiff's request for Appointment of Counsel (Document No. 7) is **DENIED** as moot.

5. The Clerk of Court is directed to send a copy of this Order to the Superintendent of SCI Greene.

BY THE COURT:



THOMAS N. O'NEILL, JR., J.